United Nations A/54/914–S/2000/564

General Assembly
Security Council

Distr.: General
12 June 2000

Original: English

General Assembly
Fifty-fourth session
Agenda item 43
The situation in the Middle East

Security Council
Fifty-fifth year

Letter dated 12 June 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter, addressed to you by the President of the Republic of Lebanon, Émile Lahoud, which I kindly request to be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Selim **Tadmoury**
Ambassador
Permanent Representative

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Annex to the letter dated 12 June 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

[Original: Arabic]

Letter dated 9 June 2000 from the President of Lebanon addressed to the Secretary-General

I should like to convey to you my particular gratitude for the efforts that you, personally, are making to assist Lebanon and in the endeavour for the implementation of Security Council resolution 425 (1978) and the verification of Israel's withdrawal to the international boundaries. I should also like to thank you for the pains taken by the United Nations team headed by your Special Envoy, Mr. Terje Roed-Larsen.

As you are preparing to submit to the Security Council a report on the conclusions you have reached, I should like to draw your attention to the points set forth below, which are of exceptional importance to us as they relate to those conclusions and the consequences they may have.

I. Security Council resolution 425 (1978)

In this resolution the Security Council "calls for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries" and "calls upon Israel ... to ... withdraw forthwith its forces from all Lebanese territory".

II. Report of the Secretary-General of 22 May 2000 (S/2000/460)

Paragraph 11 of this report states that "for the practical purpose of confirming the Israeli withdrawal, the United Nations needs to identify a line to be adopted conforming to the internationally recognized boundaries of Lebanon ..." and that "the United Nations will then identify physically, on the ground, those portions of the line necessary or relevant to confirming the withdrawal of Israeli forces".

Paragraph 13 of the report states that "the international boundary between Israel and Lebanon was established pursuant to the 1923 Agreement between France and Great Britain ...", that "this line was reaffirmed in the Israeli-Lebanese General Armistice Agreement signed on 23 March 1949" and that "subsequently there were several modifications mutually agreed by Israel and Lebanon".

III. The thrust of the resolution, the above report and the work of Mr. Roed-Larsen and his team

The resolution and the report, as well as the historical records and the various documents and maps, including those in the possession of the United Nations, confirm unequivocally that there are between Lebanon and Israel "internationally recognized boundaries" that have never been in dispute between the two countries. Indeed, the descriptive delimitation of these boundaries completed in 1923 was meticulously retraced in 1949, under the supervision of the United Nations and its observers, from boundary pillar 1 to boundary pillar 38 by way of all those in between.

Lebanon was therefore astonished, during the meetings held with the United Nations representatives, by statements intimating that its boundaries with Israel were not precisely confirmed, that Israel had not submitted any documents or maps, and that the United Nations had lost the 1949 armistice delimitation documents in a flood. Lebanon, for its part, submitted the 1923 and 1949 documents and all the approved maps of the boundaries in question, of whose accuracy and authenticity there can be no doubt, while no one has come forward with any evidence to refute the maps, documents, agreements and records indicated.

Lebanon was also surprised by the proposal to adopt a "withdrawal line" for the purpose of confirming Israel's withdrawal when resolution 425 (1978) and the report of the Secretary-General make no mention whatever of any such line but refer to "a line ... conforming to the international boundaries". Accordingly, the withdrawal can only be confirmed on the basis of the boundary line and not on the basis of a fanciful and non-existent "withdrawal line".

Lebanon was further surprised to be told that it was not the task of the United Nations to delimit the boundaries between Lebanon and Israel. It responded by stating clearly that it was not, of course, the task of the United Nations to delimit the boundaries between Lebanon and Israel just as, at the same time, it was not the task of the United Nations team to ignore existing, recognized boundaries and to replace them with an imaginary "withdrawal line" to be used as a basis for confirming Israel's withdrawal in breach of the letter and spirit of the resolution and the report. Besides, Israel had itself recognized, in article 1 of the Lebanon-Israel agreement of 17 May [1983] (subsequently denounced) that the two parties agreed to respect each other's sovereignty, political independence and territorial integrity and that they regarded the existing international boundaries between Lebanon and Israel as inviolable. (The text of the agreement was shown to Mr. Roed-Larsen at the time.)

There is an existing international boundary that is not in doubt and that is established in the records and by history, and it can obviously be used to confirm whether or not the withdrawal has taken place.

In connection with the Shab'a farmlands, it is clear from the report of the Secretary-General that a de facto line has been adopted for the area in light of the fact that there are no old maps that can confirm the boundary there between Lebanon and Syria. Accordingly, the de facto line is the line separating the areas of operation of UNIFIL and UNDOF, while the United Nations notes that this line can in no way be regarded as affecting the rights of the parties concerned with respect to their international boundaries.

Lebanon has accepted this assessment until such time as a joint formula for the farmlands area can be agreed by Lebanon and Syria for submission to the United Nations. Inasmuch as there is no such ambiguity with respect to the boundary between Lebanon and Syria north of the farmlands, Israel's withdrawal from the Lebanese highlands on Mount Hermon is a matter that pertains to the implementation of Security Council resolution 425 (1978), which uses the expression "from all Lebanese territory".

The concept of a "de facto line" is used in the Secretary-General's report only with reference to the status of the Shab'a farmlands. Lebanon was astonished by the attempt to apply the same concept to the Lebanon-Israel boundaries, which is totally incompatible with the Secretary-General's report and Security Council resolution 425 (1978). Where there are "internationally recognized boundaries" there can be no

"de facto line". Indeed, the Secretary-General adopted such a line only where there was ambiguity in the case of the boundaries of the Shab'a farmlands.

IV. Cooperation with the United Nations in the drafting of a non-paper

The Lebanese side spent more than one week with Mr. Roed-Larsen and his team in drawing up a draft non-paper. The extensive discussions conducted for this purpose led to a preliminary understanding pending confirmation of Israel's withdrawal. Lebanon was therefore surprised by the press release of 6 June 2000 giving an account of the results of the work of the United Nations team, some aspects of which conflicted with the agreed text in the non-paper. The most important point is that it cast doubt on the existing international boundaries between Lebanon and Israel and again adopted the principle of the "withdrawal line" rather than the "boundary line" in breach of Security Council resolution 425 (1978) and the report of the Secretary-General. It thus left a dangerous ambiguity with regard to the distance and the amount of territory separating the international boundary line and the imaginary "withdrawal line". This means that the withdrawal line will provide protection for continued Israeli violations of the international boundary line located beyond it. We wish, in this connection, to draw attention to the need to remedy this situation.

With Mr. Roed-Larsen and his team Lebanon also raised the issue of the Lebanese detainees and hostages held in Israeli prisons and the question of the repatriation of the remains of resistance fighters. Lebanon called for the immediate release of the prisoners and hostages on the grounds that the situation in which the arrests took place and the two remaining hostages, Sheikh Abd al-Karim Obeid and Hajj Mustafa al-Dirani, were abducted arose during the time of Israel's occupation and should therefore lapse when its withdrawal takes place.

Lebanon further raised the issue of the diversion of water from Lebanese territory and its belief that the dismantling of all Israeli equipment and installations used for this purpose is a step that must necessarily accompany the withdrawal. It also requested the United Nations to investigate the question of the depletion of the Hasbani river in the vicinity of the international boundary.

In conclusion, Lebanon, which always cooperates with the United Nations and earnestly seeks the implementation of the letter and spirit of Security Council resolution 425 (1978) and of your report, wishes to draw your attention to the observations set out above in the light of their importance and gravity. Lebanon also draws your attention to the difficulties it is encountering in its work with the UNIFIL team assigned to verify the withdrawal on the ground. The line in question, also, despite our previously stated objection to it, has been the scene of Israeli violations at numerous points and has been imprecisely determined because of the pressure brought to bear on the United Nations team to expedite its work to the detriment of accuracy. We fear that this too may further complicate matters.

Lastly, I take this opportunity to thank you once again for all the efforts you are making and to express appreciation for those also being made by your Special Envoy, his team and the United Nations troops operating in Lebanon. I hope that these efforts and endeavours will meet with all the success we can wish them.

(*Signed*) Émile **Lahoud**
General
President of the Republic